

**REMARKS**

The present application includes claims 1-20. Claims 1-20 were rejected by the Examiner. Claims 1 and 11 have been amended by this response.

By this response, claims 1 and 11 have been amended. Claim 1 has been amended to recite the limitation of periodically providing software for installation to a picture archiving and communication system workstation. Claim 11 has been amended to recite the limitation that the remote first terminal remotely monitors a picture archiving and communication system workstation to determine the remote signal. The web-based server of claim 11 comprises an installer for simultaneously installing software to a plurality of picture archiving and communication system workstations responsive to the remote signal. The Applicant respectfully submits that independent claims 1 and 11 and their dependent claims, as amended, are allowable.

Claims 1-4, 11-13, and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zur (U.S. Patent No. 6,178,225) in view of Allison (U.S. Patent No. 6,094,531).

Claims 5-8, and 14-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zur in view of Debbins (U.S. Patent No. 6,492,812).

Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zur in view of Debbins further in view of Neal (U.S. Patent No. 6,192,518).

The Applicant first turns to the rejection of claims 1-4, 11-13, and 19-20 under 35 U.S.C. § 103(a) as being unpatentable over Zur in view of Allison. As previously explained, Zur relates to tracking statistics in order to determine how many x-ray images are accepted and how many are rejected by an x-ray technologist (See Figure 2; col. 5, lines 43-65). Accept and reject counters provide imaging usage statistics which may be used to generate billing statements to charge for x-ray system usage (See Figures 2 and 3; col. 5, lines 30-33 and lines 48-51; col. 6, lines 5-8). As previously discussed, Zur does not teach or suggest remote maintenance but rather mentions on-site maintenance (and even *on-site* maintenance is only mentioned *once*) (col. 3, lines 37-40). Zur does not teach or suggest remotely installing or updating software. Rather, the focus and description of Zur relate to “metering the number of X-ray exposures produced by the digital X-ray imaging facility; and generating a billing output in respect of the number of X-ray exposures.” (col. 1, lines 47-50; see generally Summary, columns 1 and 2).

As described in previous responses, Allison does not relate to PACS systems. Allison is used in the context of a software testing system that installs various operating systems on network computers in order to test programs (col. 4, lines 55-63; col. 6, lines 64-67; col. 7, lines 1-7). Allison relates to a hardware and software test system (Abstract; col. 2, lines 65-67). In Allison, an appropriate operating system is installed on a machine in order to test hardware and/or software using that machine (col. 2, lines 17-29). For example, if a company, such as Hewlett-Packard, is testing a new piece of software, such as a word processor, or a new piece of hardware, such as a new network interface, the system installs the desired operating system on one of the test machines along with the

new piece of software or hardware. The performance of the new software or hardware may then be analyzed on the test machine.

Additionally, no web-based server is described in Allison. This limitation is recited in claims 1, 11, and 19. Furthermore, Allison does not teach or suggest periodically providing software for installation to a picture archiving and communication system workstation. This limitation is recited in amended claim 1. Allison does not teach or suggest a remote first terminal that remotely monitors a picture archiving and communication system workstation to determine a remote signal. Allison does not teach or suggest a web-based server including an installer for simultaneously installing software to a plurality of picture archiving and communication system workstations responsive to the remote signal. These limitations are recited in amended claim 11. Allison also does not teach or suggest updating software on any system, not to mention a PACS. This limitation is recited in independent claim 19. Rather, Allison installs (not updates) a particular operating system on a computer on demand in order to use that computer to test a particular piece of hardware and/or software.

The description and purpose of Allison are very different from the system and purpose of Zur. Installing a plurality of operating systems on a plurality of PACS systems to test operating system and program function would not help facilitate the goal of Zur to track x-ray imaging system usage and shot acceptance/rejection. In fact, using such systems for testing and experimentation may introduce unacceptable error or non-uniformity into billing records passed on to clients for payment. The inventors of Zur would not have been concerned with the multiple operating system and software test

environment for software developers in Allison. Thus, one interested in obtaining accurate billings by only charging a user for acceptable x-ray image exposures would not combine their system with a system used to test hardware and software on various platforms. That is, one of ordinary skill in the art would not have combined Zur with Allison, and combining Zur with Allison would frustrate the purposes of both systems.

However, even if Zur could be combined with Allison, the combination would not teach or suggest the limitations of the claimed invention. Neither Zur nor Allison teaches or suggests installing or updating software on PACS workstations. Neither Zur nor Allison, alone or in combination, teaches or suggests remote monitoring of a PACS to determine a remote signal used in simultaneously installing software to a plurality of PACS workstations. Zur and Allison do not teach or suggest periodically providing software for installation to a PACS workstation. Zur and Allison do not teach or suggest the use of a web-based server. Rather, the combination of Zur and Allison would relate to installing a variety of operating systems on a metering system in an operating and viewing station of an x-ray imaging facility in order to test hardware and/or software on the metering system. Therefore, the Applicant respectfully submits that claims 1-4, 11-13, and 19-20, as amended, should be allowable.

The Applicant now turns to the Examiner's rejection of claims 5-8, and 14-18 under 35 U.S.C. § 103(a) as being unpatentable over Zur in view of Debbins. The Applicant respectfully submits that Debbins is not prior art for the present application. The service system of Debbins was added in the continuation-in-part, U.S. Patent No.

6,331,776, filed on December 3, 1999, and not in the original application, U.S. Patent No. 6,396,266, filed on November 25, 1998. Thus, Debbins may only claim priority to December 3, 1999, for the service system disclosure. Debbins would then only qualify as prior art under § 102(e). However, since Debbins and the present application were commonly owned or under obligation of assignment to General Electric Company at the time of invention by the Applicant, Debbins does not qualify as prior art for the present application under § 103.

Furthermore, the Applicant agrees with the Examiner's assertion that Zur does not teach or suggest retrieving data from a log file for analysis at a remote terminal. This limitation is recited in independent claim 5. Zur also does not teach or suggest remote correction of errors. There is no mention in Zur of searching for an error or an error indicator. This limitation is recited in independent claim 14. Therefore, the Applicant respectfully submits that claims 5-8, and 14-18 should be allowable.

Claims 9 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zur in view of Debbins further in view of Neal (U.S. Patent No. 6,192,518). As detailed above, Debbins is not prior art for the present application. Additionally, the Applicant agrees that Zur and Neal do not teach or suggest the use of log files, as recited in claims 9 and 10. Neither Neal nor Zur teaches or suggests analyzing log data for an error indicator. Therefore, the Applicant respectfully submits that claims 9 and 10 should be allowable.

**CONCLUSION**

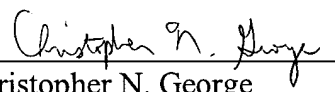
The Applicants submit that the present application is in condition for allowance.

If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited and encouraged to contact the Applicants at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of GTC, Account No. 070845.

Respectfully submitted,

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